



STATE BOARD OF EQUALIZATION

450 N STREET, SACRAMENTO, CALIFORNIA
PO BOX 942879, SACRAMENTO, CALIFORNIA 94279-0080
(916) 322-2270 • FAX (916) 324-3984
www.boe.ca.gov

SEN. GEORGE RUNNER (Ret.)
First District, Lancaster

FIONA MA, CPA
Second District, San Francisco

JEROME E. HORTON
Third District, Los Angeles County

DIANE L. HARKEY
Fourth District, Orange County

BETTY T. YEE
State Controller

DAVID J. GAU
Executive Director

STATE BOARD OF EQUALIZATION MEETING
5901 Green Valley Circle, Room 207, Culver City
April 25-26, 2017
NOTICE AND AGENDA
Meeting Agenda (as of 4/24/2017, 4:00 PM)

[Agenda Changes](#)

[Webcast on Tuesday, April 25, 2017](#)

Tuesday, April 25, 2017

9:00 a.m. Pledge of Allegiance

Board Meeting Convenes*

Agenda items occur in the order in which they appear on the agenda. When circumstances warrant, the Board's Chair may modify the order of the items on the agenda. Items may be postponed to a subsequent day; however, items will not be moved to an earlier day or to an earlier session on the same day.

Board Committee Meeting**

This matter is scheduled for later in the day.

Board Meeting*

A. Homeowner and Renter Property Tax Assistance Appeals Hearings
There are no items for this matter.

B. Corporate Franchise and Personal Income Tax Appeals Hearings
(Contribution Disclosure forms required pursuant to Gov. Code, § 15626.)

B1. [Mario Kattan, 926313 +](#)

For Appellant: Mario Kattan, Taxpayer
Jeffrey S. Helfer, Attorney
Neo Kattan, Witness

For Franchise Tax Board: Ronald Hofsdal, Tax Counsel
Jason Riley, Tax Counsel

B2. Bozena B. Wrobel, 948233 +

For Appellant: Waived Appearance
 For Franchise Tax Board: Asaf Kletter, Tax Counsel
 Marguerite Mosnier, Tax Counsel

~~B3. Technicorp International II, Inc., 933024 +~~

~~For Appellant: Brian T. McCarthy, Representative
 Mark Andrus, Representative
 For Franchise Tax Board: Brad Coutinho, Tax Counsel
 Marguerite Mosnier, Tax Counsel~~

C. Sales and Use Tax Appeals Hearings

(Contribution Disclosure forms required pursuant to Gov. Code, § 15626.)

~~C1. Atieh Meskin Tehrani, 566439 (EA) +~~

~~For Petitioner: Atieh Meskin Tehrani, Taxpayer
 For Department: Andrew Kwee, Tax Counsel~~

C2. Isa & Est, Inc., 713394 (EA) +

For Petitioner: Tony Garcia, Taxpayer
 Marc Brandeis, Representative
 Greg Reynolds, Representative
 For Department: Monica Silva, Tax Counsel

~~C3a. Mary Jo Robinson and Deborah Ann Ibey, 607538 (FH) +~~~~C3b. Arrangements Unlimited, Inc., 607541 (FH) +~~

~~For Petitioners: Mary Robinson, Taxpayer
 Debbie Ibey, Taxpayer
 Jesse McClellan, Attorney
 For Department: Kevin Smith, Tax Counsel~~

~~C4. Trust Carpet and Tile, Inc., 740706 (EA) +~~

~~For Petitioner: Hong T. Nguyen, Taxpayer
 Hai V. Dang, Representative
 For Department: Scott Lambert, Hearing Representative~~

Special Presentations

Employee Recognition Award Program 2017 Mr. Gau

The Board will honor BOE employees receiving the Employee Recognition Award in the 2015-16 award cycle.

1:30 p.m. Board Meeting Reconvenes*

C. Sales and Use Tax Appeals Hearing

(Contribution Disclosure forms required pursuant to Gov. Code, § 15626.)

C5. Kaktis Productions, Inc., 386875, 944673 (AS) +

For Petitioner: Fida Attieh, Taxpayer

For Department: Andrew Kwee, Tax Counsel

D. Special Taxes Appeals Hearing

This item is scheduled for Wednesday, April 26, 2017.

E. Property Tax Appeals Hearings

There are no items for this matter.

Board Committee Meeting Convenes**

Customer Service and Administrative Efficiency Committee

Mr. Runner, Committee Chairman

1. Education and Outreach Policies

Request Board approval and direction regarding Education and Outreach policies.

Board Meeting Reconvenes upon adjournment of the Committee Meeting*

F. Public Hearings

F1. Property Taxes - State Assesseees' Presentations on the Valuation of State-Assessed Properties

Mr. Reisinger

The Board will hear state assesseees' presentations on the valuation of state-assessed properties.

Speaker: Peter Michaels, Law Office of Peter Michaels

G. Tax Program Nonappearance Matters – Consent(Contribution Disclosure forms not required pursuant to Gov. Code, § 15626.)

- G1. Legal Appeals Matters Mr. Angeja
- Hearing Notice Sent – No Response
 1. Golden Island Chinese Cuisine, Inc., 851192 (GH)
 2. Passage Yachts, Inc., 539252 (CH)
 - Hearing Notice Sent – Appearance Waived
 3. Universal Auto Sales, Inc., 514272 (AC)
 - Petitions for Release of Seized Property
 4. RHDM Oil, Inc., 990154 (STF)
 - Petitions for Rehearing
 - 5a. Carlos Fernando Bosch, 511605 (EH)
 - 5b. Carlos Fernando Bosch, 511606 (EH)
- G2. Franchise and Income Tax Matters Mr. Ambrose
- Decisions
 1. Efren V. Ancheta, 919653
 2. Kathleen G. Andersen, 924407
 3. Francisco Aquila, 843064
 4. Angel Dealba, 856098
 5. Brentwood Park Apartments, A CA Ltd. Partnership, 859540
 6. Thomas I. Chew, Jr., 933549
 7. Elaine Fong, 845146
 8. Sherry R. Hensey and Michael S. Hensey, 797348
 9. ~~iProtean, LLC, 927235~~
 10. Archimedes N. Labarcon and Froilana Labarcon, 835864
 11. Agustin Lombera, 822549
 12. Lot 26, LLC, 841427
 13. Mariposa Enterprises, III, A CA Limited Partnership, 850182
 14. Richard A. Mondello and Wipapan Konchom Mondello, 891345
 15. Murphys Enterprises, A CA Ltd. Partnership, 881018
 16. David Urbanus, 915696
 17. William G. Westbrook and Frances D. Westbrook, 930060
 18. Paula Wilson, 920480
 19. Wai Man Wong, 930054
 20. Richard M. Zichichi, 910369

There are no items for the following matters:

- G3. Homeowner and Renter Property Tax Assistance Matters
- G4. Sales and Use Taxes Matters
- G5. Sales and Use Taxes Matters – Credits, Cancellations, and Refunds
- G6. Special Taxes Matters
- G7. Special Taxes Matters – Credits, Cancellations, and Refunds
- G8. Property Tax Matters
- G9. Cigarette License Fee Matters
- G10. Legal Appeals Property Tax Matters

H. Tax Program Nonappearance Matters – Adjudicatory

(Contribution Disclosure forms required pursuant to Gov. Code, § 15626.)

- H1. Legal Appeals Matters Mr. Angeja
 ➤ Section 40 (AB 2323) Matter
 1. Public Motors Orange County, LLC, 569627 (EA) +
- H2. Franchise and Income Tax Matters Mr. Ambrose
 ➤ Hearing Notice Sent – Appearance Waived
 1. Laura D. Muller, 835863

There are no items for the following matters:

- H3. Homeowner and Renter Property Tax Assistance Matters
 H4. Sales and Use Taxes Matters
 H5. Sales and Use Taxes Matters – Credits, Cancellations, and Refunds
 H6. Special Taxes Matters
 H7. Special Taxes Matters – Credits, Cancellations, and Refunds
 H8. Property Tax Matters
 H9. Cigarette License Fee Matters
 H10. Legal Appeals Property Tax Matters

I. Tax Program Nonappearance Matters(Contribution Disclosure forms not required pursuant to Gov. Code, § 15626.)

- I1. Property Taxes Matters
 There are no items for this matter.
- I2. Offer in Compromise Recommendations Mr. Anderson
 1. Cargo Vans and Commercial Trucks, LLC
 2. Cindy Hyun Choi
 3. Hokkaido Corporation
 4. La Casuela Mexican Restaurant, Inc.
 5. Ben Lahlou
 6. Joseph J. Lal
 7. Manilaville, LLC
 8. Aubrey Eugene O'Bryan
 9. Sandra Ryder
 10. Gary Suchow
- I3. Local Tax Reallocation Matters
 There are no items for this matter.

Chief Counsel Matters

There are no items for the following matters:

- J. Rulemaking
 K. Business Taxes
 L. Property Taxes
 M. Other Chief Counsel Matters

Administrative Session

Items that appear under these matters provide information to the Members and may require Board action or direction.

N. Consent Agenda Ms. Richmond
(Contribution Disclosure forms not required pursuant to Gov. Code, § 15626.)

N1. Retirement Resolutions +

- Keith Christensen
- Catherine Gonzalez
- Tony Hernandez
- Deborah Self

N2. Approval of Board Meeting Minutes

- [March 28-29, 2017 +](#)

N3. Proposed revisions to Compliance Policy and Procedures Manual chapters 2, *Registration* and 7, *Collections* and Audit Manual chapter 4, *General Audit Procedures* +

O. Adoption of Board Committee Report and Approval of Committee Actions

This matter is scheduled for Wednesday, April 26, 2017.

P. Other Administrative Matters

P1. Executive Director's Report Mr. Gau

~~1. Letter to Legislature~~ ~~Mr. Gilman~~

~~Letter to Legislature affirming the importance of appeal rights to taxpayers.~~

P2. Chief Counsel Report
There is no item for this matter.

P3. Business Tax and Fee Deputy Director's Report Ms. Buehler

1. [Approval of Fiscal Year 2017-18 Tobacco Products Tax Rate +](#) Mr. Parrott

Staff recommendation for setting the fiscal year 2017-18 Tobacco Products Tax Rate.

P4. Field Operations Department Report Mr. Mashihara

- 1. Cash Payment Acceptance Alternatives**
Update and discussion of possible alternatives for accepting cash payments from taxpayers.

There are no items for the following matters:

- P5. Property Tax Deputy Director’s Report
- P6. Administration Deputy Director’s Report

P7. Technology Deputy Director’s Report Mr. Capulong

- 1. CROS Project Update
Progress on the CROS project to replace BOE’s two current legacy-technology tax administration systems.

P8. External Affairs Deputy Director’s Report
There is no item for this matter.

Announcement of Closed Session Ms. Richmond

Q. Closed Session

- Q1. Discussion and approval of staff recommendations regarding settlement cases (Rev. & Tax. Code, §§ 6901, 7093.5, 30459.1, 50156.11).
- Q2. Discussion of personnel matters (Gov. Code, § 11126(a)).

Announcement of Open Session..... Ms. Richmond

Recess - The meeting will reconvene on Wednesday, April 26, 2017, at 9:00 a.m.

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Joann Richmond, Chief
Board Proceedings Division

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- ** Public comment on any committee agenda item will be accepted at the beginning of the committee meeting. Subsequent to committee meetings, committee agenda items may be taken up separately during the Board meeting.
- + Material is available for this item.



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Board Meeting*

C. Sales and Use Tax Appeals Hearings

(Contribution Disclosure forms required pursuant to Gov. Code, § 15626.)

C6. [Van Xen Luu, 717667 \(UT\) +](#)

For Petitioner: Van Xen Luu, Taxpayer
Nina Luu, Witness
For Department: Andrew Kwee, Tax Counsel

C7. [High Desert Food Mart, Inc., 594562 \(RC\) +](#)

For Petitioner: Juan Guzman, Representative
For Department: Scott Lambert, Hearing Representative

C8. [Richard D. Hecht, 918035 \(UT\) +](#)

For Petitioner: Travers Morgan, Representative
For Department: Kevin Smith, Tax Counsel

~~**C9. [Gourmet 88 Management, Inc., 850780, 870558, 907579, 908779 \(AC\) +](#)**~~

~~For Petitioner/Claimant: Marc Brandeis, Representative
Greg Reynolds, Representative
For Department: Nonita DeLaCruz, Hearing Representative~~

- C10a. [Doomid, Inc., 416893, 552763 \(DF\) +](#)
C10b. [Doomid, Inc., 626011, 681012 \(DF\) +](#)
For Petitioners/Claimants: Shawn Nazari, Representative
For Department: Nenita DeLaCruz, Hearing Representative
- C11. [Ronald Allan Ilano, 765850 \(AA\) +](#)
For Petitioner: Dan E. Nino, Representative
For Department: Scott Lambert, Hearing Representative
- C12. [GPS Enterprise, Inc., 825500 \(AP\) +](#)
For Petitioner: Nabil Saad, Taxpayer
Stephen W. Berger, Attorney
For Department: Scott Lambert, Hearing Representative
- C13. [Juan Manuel Rios and Cindy Lynn Rios, 739367 \(EH\) +](#)
For Petitioners: Juan Manuel Rios, Taxpayer
Cindy Lynn Rios, Taxpayer
Raul Robles, Attorney
For Department: Nenita DeLaCruz, Hearing Representative

D. Special Taxes Appeals Hearing

(Contribution Disclosure forms required pursuant to Gov. Code, § 15626.)

- D1a. [Terri Haas, 627370 \(STF\) +](#)
D1b. [Terri Haas, 627371 \(STF\) +](#)
For Petitioner: Ted Haas, Representative
For Department: Pamela Bergin, Tax Counsel

Administrative Matter

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O. Adoption of Board Committee Report and Approval of Committee Actions

- O1. Customer Service and Administrative Efficiency Committee

Adjourn

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